GOVERNMENT OF INDIA
PANCHAYATI RAJ
LOK SABHA

UNSTARRED QUESTION NO:394
ANSWERED ON:17.11.2016
Non Achievement of PRIS
Meinya Dr. Thokchom;Suman Shri Balka

Will the Minister of PANCHAYATI RAJ be pleased to state:

a) whether Panchayati Raj Institutions have failed to live up to the expectation as envisaged by the 73rd Constitution Amendment Act;
b) if so, the details thereof and reasons therefor;
c) whether all the States/UTs, in compliance with the mandatory provisions of the Constitution (Seventy Third) Amendment Act, 1992 have enacted legislations for establishing/ setting up structures/systems/processes of Panchayati Raj Institutions (PRIs) and if so, the details thereof;
d) whether the sorry state of affairs in Panchayat system is also due to State and bureaucratic indifference;
e) if so, the details thereof and measures contemplated by the Union Government to rectify and improve the system; and
f) whether the State Governments have the powers to supersede PRIs and if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF PANCHAYATI RAJ
(SHRI PARSHOTTAM RUPALA)

(a),(b),(d) &(e): After incorporation of Part IX in the Constitution by the Seventy Third Constitutional Amendment Act, 1992, the Panchayati Raj system has been institutionalised in the States where provisions of this Part are applicable. The Constitution recognizes 'Panchayats' as 'institutions of self-government'. 'Panchayats' being 'Local Bodies' is a State subject mandated under Part IX and List II (State List) of Seventh Schedule (Article 246) of the Constitution. Article 243G allows discretion to State Legislatures to endow, the Panchayats with powers and authority to enable them to function as institutions of local self-governance. The extent of fulfilment of aspirations of citizens is dependent on the extent to which funds, functions and functionaries are devolved to the local bodies and the extent of their capacitation to fulfil these roles. The States vary significantly in the extent to which they have devolved funds, functions and functionaries to the Panchayats to plan, implement and monitor schemes for economic development and social justice.

The implementation of the provisions of Part IX of the Constitution is reviewed with the State Governments from time to time through meetings and discussions. States are encouraged to devolve powers to Panchayats for sustainable decentralization and inclusive development. The annual Devolution Index Report and the State of Panchayati Raj Reports commissioned by the Ministry of Panchayati Raj (MoPR) assess the periodic changes in policy and legislative framework of the State in respect of Panchayati Raj.

(c): Mandatory provisions incorporated in Part IX of the Constitution are given at Annexe-I. These mandatory provisions have been generally fulfilled by all States and Union Territories (UTs) where Part IX of the Constitution is applicable except that elections to Panchayats have not been held in the UT of Puducherry since July 2011 and delay in constituting State Finance Commissions by some States.

(f): Yes, Madam. Article 243(E) provides for constitution of a dissolved Panchayat before expiration of six months from the date of such dissolution. Subject to the provisions in Article 243(E), State Governments may make detailed legislations in this regard.

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